

**State of California, Court of Appeal
Fourth Appellate District, Division 3
March 7, 2005**

CRIM	THE PEOPLE	Not for publication
No.	v.	
G032403	GILBERT LOUIS MORALES	

Opinion filed. Judgment affirmed.

Fybel, J.

We concur: Moore, Acting P.J.
Ikola, J.

CIVIL	JO LEN ANN McGOWEN	Not for publication
No.	v.	
G032940	DENNIS RODMAN	

Order modifying opinion; no change in judgment.

Bedsworth, Acting P.J.

We concur: Moore, J.
Fybel, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
March 8, 2005**

CRIM No. G031266	THE PEOPLE v. JASON ABHYANKAR	Not for publication
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Order modifying opinion and denying petition for rehearing; no change in judgment.

Sills, P.J.

We concur: Rylaarsdam, J.
O’Leary, J.

CIVIL No. G032726	MAMOOD NAMDAR v. ROBERT KOOP et al.	Not for publication
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Opinion filed. Judgment affirmed.

O’Leary, Acting P.J.

We concur: Aronson, J.
Ikola, J.

CIVIL No. G033753	BARBARA ST. JOHN v. SHIRLEY M. SPRINGMEIER, et al.	Not for publication
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Opinion filed. Judgment affirmed.

Ikola, J.

We concur: Sills, P.J.
O’Leary, J.

CIVIL No. G034845 G035039	AMERICAN AIRLINES, INC. v. ORANGE COUNTY FIRE AUTHORITY, et al.
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Order filed. The stipulation to consolidate case number G034845 with case number G035039 is accepted by the court. These two cases are consolidated for the purposes of briefing, oral argument and decision.

Sills, P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
March 8, 2005 (Cont'd)**

CIVIL	SHAUN S. ADEL
No.	v.
G035147	CRYSTAL COVE POOLS & SPAS, INC.

Order filed. On February 25, 2005, appellant Crystal Cove Pools & Spas, Inc., was advised the court was considering dismissing the appeal on its own motion on the ground a corporation may not represent itself, and that only an attorney licensed to practice law in this state may represent it. Appellant was advised that unless an attorney licensed to practice law in this state appeared in this action to represent appellant by March 7, 2005, the appeal would be dismissed. No attorney having so appeared, the appeal is dismissed.

Sills, P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
March 9, 2005**

CIVIL THERESA WILENS
No. v.
G033660 J.P. MORGAN CHASE & CO. et al.

Order filed. The primary issue herein is presently pending in Discover Bank v. Superior Court (2003) 105 Cal. App.4th 326, review granted April 9, 2003, S113725. The court notes that oral argument has been scheduled in that case for April 7, 2005 and that a decision appears imminent. Therefore, submission of this case is hereby vacated. Within 30 days after the Supreme Court files its decision, each party may file an informal letter brief as to the effect of the decision on the pending case. The case shall be resubmitted at the end of that 30-day period.

Rylaarsdam, Acting P.J.

We concur: Bedsworth, J.
 Moore, J.

CIVIL THERESA WILENS
No. v.
G033663 CITIGROUP, INC., et al.

Order filed. The primary issues herein is presently pending in Discover Bank v. Superior Court (2003) 105 Cal. App.4th 326, review granted April 9, 2003, S113725. The court notes that oral argument has been scheduled in that case for April 7, 2005 and that a decision appears imminent. Therefore, submission of this case is hereby vacated. Within 30 days after the Supreme Court files its decision, each party may file an informal letter brief as to the effect of the decision on the pending case. The case shall be resubmitted at the end of that 30-day period.

Rylaarsdam, Acting P.J.

We concur: Bedsworth, J.
 Moore, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
March 9, 2005 (Cont'd)**

CRIM THE PEOPLE
No. v.
G034171 GRANT CHRISTOPHER PROUTY

Order filed. Appellant's motion to vacate the dismissal, reinstate the appeal, and relief from default is granted. The order of dismissal is vacated and the appeal is reinstated. The clerk of this court is directed to forthwith file appellant's opening brief submitted with the motion filed on March 9, 2005.
Sills, P.J.

CIVIL KENNETH W. JACOBSEN, as Trustee, etc.
No. v.
G034918 RICHARD LEE FAULK, as Trustee, etc.

Order filed. Appellant's motion to vacate the dismissal, reinstate the appeal, and relief from default for failure to comply with California Rules of Court, rule 4(a)(1) is granted. The order of dismissal is vacated and the appeal is reinstated. Appellant has 10 days from the date of this order to comply with California Rules of Court, rule 4(a)(1).

Sills, P.J.

CRIM THE PEOPLE
No. v.
G033665 JOHNNY BENJAMIN McNAIR

Not for publication

Opinion filed. Judgment affirmed in part, reversed in part and remanded with directions.

Fybel, J.

We concur: Rylaarsdam, Acting P.J.
 Bedsworth, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
March 10, 2005**

CIVIL
No.
G032138

SAILOR J. KENNEDY
v.
BERGER, KAHN, SHAFTON, MOSS,
FIGLER, SIMON & GLADSTONE et al.

Not for publication

Opinion filed. Orders affirmed; judgment dismissed.

Aronson, J.

We concur: O'Leary, Acting P.J.
Ikola, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
March 11, 2005**

CIVIL No. G033558	SABINA C. BROWN v. PROFESSIONAL COMMUNITY MANAGEMENT, INC., et al.	Certified for publication
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Order granting request for publication.

Ikola, J.

We concur: Sills, P.J.
O’Leary, J.

CIVIL No. G034487	ORANGE COUNTY SOCIAL SERVICES AGENCY v. JUAN N.	Not for publication
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Opinion filed. Order affirmed.

Aronson, J.

We concur: O’Leary, Acting P.J.
Ikola, J.

CIVIL No. G034616	ORANGE COUNTY SOCIAL SERVICES AGENCY v. MARIO P. et al.	Not for publication
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Opinion filed. Judgment affirmed.

Ikola, J.

We concur: O’Leary, Acting P.J.
Aronson, J.